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SUBJECT: 2010 PARLIAMENTARY ELECTIONS: AFGHAN AND
INTERNATIONAL CHOICES

Classified By: PolCouns Annie Pforzheimer, reasons 1.4 b, d

¶1. (C) Summary: IEC officials claim they are powerless to change the election date and that few, if any, reforms can be enacted in the compressed timeline before May 2010 elections. While requesting U.S. assistance, the officials appeared unmoved by our concerns over reform. Separately, UNDP ELECT's Chief Electoral Advisor reported to us that the IEC is well aware of its shortcomings and the international community's frustrations but it is still preparing to yield to political pressure and administer Afghan-funded elections by early summer 2010. International support is mixed, while public statements by a recent CODEL afforded the government a chance to express its "determination". End Summary.

We Expect Your Support

¶2. (C) In a meeting December 29 with Embassy officials, Deputy Chair of the Independent Election Commission (IEC) General Ayub Assil, IEC Commissioner Momena Yari, and IEC Chief of Operations Mohammad Hashim agreed that reforms are needed in the electoral system. When asked if they had seen the after-action reports and recommendations released by international observer groups such as the OSCE, the Asian Network for Free Elections (ANFREL), and the EU Election Observer Mission, they said they had but that the recommendations all required more time than was available. Embassy officers asked what changes and improvements were being considered. The Commissioners mentioned their October decision not to re-hire 6,000 of their over 100,000 poll workers for the projected second round of the presidential election, due to concerns of fraud. They also mentioned their decision to suspend 7 of their 34 Provincial Election Officials in the event of a runoff.

¶3. (C) When asked if there were any plans to investigate any of these officials or to submit them to the courts for prosecution, Hashim and Assil said that there had not been time yet to make this decision since they had only finished working on the final Provincial Council numbers the week before, and that it was important not to damage anyone's reputation simply because of allegations that may or may not be true. They said they would be examining cases and possibly referring them to the Attorney General's office. All three IEC officials noted with a smile that they had been the victims of "baseless allegations" that should not be prosecuted.

¶4. (C) All present agreed that Electoral Law reform was needed. Commissioner Yari pointed out that it is not possible for Parliament to amend it during the last year before their own election. We noted that the President is at liberty to issue a decree to amend the law during Parliament's recess; Commissioner Yari said that this is true but it was impossible for the IEC to wait for that (the recess could be later this month or February) since they had to announce the election date and begin planning immediately. Hashim added that January 2 is the last day they can announce the election date and that candidate registration

should begin January 16. When we pointed out that the Electoral Law allows the IEC to postpone the elections on security, financial, technical, or other grounds, the Commissioners reiterated that the President, Speaker of the Lower House, Speaker of the Upper House, Chief Justice of the Supreme Court, and the IEC itself had all already agreed to hold the elections on time.

15. (C) We noted that a decision to hold the elections on time was equivalent to a decision against serious reforms, and while the political leadership of Afghanistan has made a choice about the timing of the elections "the international community has to make a choice as well, regarding its support." Commissioner Yari asserted that the IEC has enacted reforms of its structure, but only repeated the examples of their decision not to re-hire some poll workers and to suspend some Provincial IEC officials. When asked what other structural reforms were being discussed and lessons learned from 2009, Hashim said they would instruct poll station workers to put transparent tape over the vote tallies after counting was complete and said they were happy to get other suggestions from the international community, in particular the "most friendly nation," the United States. Hashim said there were no plans for general changes in the counting system or manner of materials storage. On polling locations, Hashim said there would be a decrease in the total number of polling stations (ballot boxes) from about 30,000 to about 20,000 but an increase in the number of polling centers from about 6,000 to about 7,000. He again made the plea that the recommendations from the international groups' reports require time and that the IEC is looking for practical suggestions.

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16. (C) General Assil said that we are together at this critical juncture, we know our common enemy, and that Afghanistan needs our help. He noted that the U.S. had no trouble accepting the 2004 election results, which were flawed. Yari said that if the U.S. wants democracy and the rule of law in Afghanistan, we should support this election adding that the IEC "expects" U.S. support adding that it was our "responsibility to go to the Government of Afghanistan and offer support." We responded that to use the 2004 elections as the benchmark was to fail to move forward, and asked the IEC to consider the recommendations in the international community's after-action reports as good indications of the kinds of reforms that are needed.

Meanwhile, Behind the Scenes...

17. (C) Margie Cook, UNDP ELECT Chief Electoral Advisor, reported in a separate meeting with USAIDOff December 29 that the IEC's Chief Electoral Officer Daoud Najafi is well aware of the depth of international concern about 2010 elections. Cook said that the IEC is not confident elections can be held on time. However, neither the IEC nor the Karzai Administration want to be seen as derogating Afghan law. Their hope is that we will pull them back from their self-designated edge so that they can blame the ensuing legal crisis on us.

18. (C) Najafi reportedly said that the IEC is aware that the international community is unlikely to foot any of the bill for 2010 elections held this summer and so they have prepared two budget estimates. The first estimate of 120 million USD is the one being declared publicly. The IEC has said publicly that the GIRA can raise 50 million USD and the international community would be asked for 70 million USD. The second, private, budget estimate is for 88 million USD and would be an entirely Afghan-funded election. There is no detailed information on what the added 32 million USD would buy, although Poloff was told by another IEC official in a separate conversation on December 30 that it would allow the IEC to do things like print the ballots in color.

¶9. (C) Other members of the international community such as the UK and Canada are trying to work out a position on the elections, leaving some options open but converging on a rejection of funding along the lines of the Presidential race. UNAMA will convene Ambassadors on January 2, according to Kai Eide, who has told the GIROA that UNAMA has no mandate to support the elections at this point and would take no action until their help was requested by the President. Some embassies - notably India and Turkey - have indicated they would support, possibly financially, the on-time elections. UK contacts expressed concern that, while they did not intend to fund the elections, they were especially sensitive to a "total disaster" in view of the upcoming UK general elections.

Public Profiles

¶10. (U) The IEC Commissioners have not yet announced an election date, although the President's Spokesman, the Speaker of the Lower House of Parliament, and several IEC Secretariat officials have publicly discussed the plan to have the election on time. In advance of the expected January 2 announcement by Chairman Luddin, on December 29 the IEC Spokesman went on the record in the international media as saying "we are ready to perform our duty, but the problem that we have, is the lack of budget, and this is the responsibility of the donor countries to respond to our request for providing the budget in the next month."

¶11. (U) UNAMA's on-the-record statement is that "At this stage we have no specific mandate from the UN Security Council to provide support for forthcoming elections, neither have we been formally asked to support the parliamentary elections. However, the Special Representative has made clear the need for root and branch reform of Afghanistan's electoral institutions ahead of any parliamentary elections to ensure a transparent and fair process. It is imperative that any next round of elections that are conducted reflects the will of the Afghan people faithfully." The Embassy's public statement: "The timing of the elections is an Afghan matter, but aspects of their implementation may require U.S. support in the form of funding and security assistance. We are discussing this with the Afghan Government and making clear the need to ensure our resources are part of a process that takes into account the need for key reforms and can produce transparent and fair elections."

¶12. (U) The only other public USG statements on the prospect

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of 2010 elections in Afghanistan have come from the delegation of Congressman Steve Israel (D-NY) who visited Afghanistan December 28-29. The members of this delegation made diverging statements to the media at a December 29 press conference. Congressman Mike Pence (R-IN) said that he told Karzai in a meeting that the 2010 elections had to be fair, credible, and transparent. He also said that the elections need to be done right, rather than on time and that President Karzai had demurred when the delegation suggested instituting election reform before the parliamentary elections. Congressman Israel agreed that he could not justify more votes to send troops or appropriate funds for the Afghan government if the next election was shrouded in the same suspicion as the last. However, Congressman Cliff Stearns (R-FL) said that he accepted the date of the elections as mandated by the Afghan Constitution and acknowledged the importance of the government abiding by that law. TV coverage of the CODEL remarks characterized them as "warning" the President to delay the elections or forgo international support; the immediate response from Presidential spokesman Omer was that the government as "determined" to hold the elections.

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